

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

GARY BREINER,	:	
Plaintiff,	:	
v.	:	Case No. 3:05-cv-219-KRG-KAP
MARTIN J. HORN, SECRETARY,	:	
DEPARTMENT OF CORRECTIONS;	:	
GERALD L. ROZUM, SUPERINTENDENT,	:	
S.C.I. SOMERSET, FRED R. MAUE,	:	
M.D., CHIEF OF CLINICAL	:	
SERVICES, and JOSEPH VISINSKY,	:	
CHIEF HEALTH CARE ADMINISTRATOR,	:	
Defendants	:	

MEMORANDUM ORDER

This matter was referred to Magistrate Judge Keith A. Pesto for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and subsections 3 and 4 of Local Rule 72.1 for Magistrate Judges.

The Magistrate Judge filed a Report and Recommendation on March 10, 2008, docket no. 33, recommending that defendants Maue and Visinsky's motion for summary judgment, docket no. 22, be granted.

The parties were given notice that, pursuant to 28 U.S.C. § 636(b)(1), they had ten days to file written objections to the Report and Recommendation. No objections have been filed and the time to do so has expired.

After review of the record of this matter and the recommendation of the Magistrate Judge, the following order is entered:

AND NOW, this 26<sup>th</sup> day of March, 2008, it is

ORDERED that the remaining defendants' motion for summary judgment, docket no. 22, is granted. The Report and Recommendation is adopted as the Opinion of the Court. The Clerk shall mark this matter closed.

BY THE COURT:

A handwritten signature in black ink, appearing to read "Kim R. Gibson". The signature is written in a cursive, flowing style. The first name "Kim" is written with a large, stylized "K". The last name "Gibson" is written with a large, stylized "G".

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KIM R. GIBSON,  
UNITED STATES DISTRICT JUDGE

Notice by ECF to counsel of record and by U.S. Mail to:

Gary Breiner EW-7050  
S.C.I. Somerset  
1600 Walters Mill Road  
Somerset, PA 15510